



Fact Sheet:

October 2002



An Overview of California's Driving Under-the-Influence Program

Overview

The objective of the DUI program is to: (1) reduce the number of repeat DUI offenses by persons who complete a state-licensed DUI program; and (2) provide participants an opportunity to address problems related to the use of alcohol and/or other drugs.

History

Legislation was enacted in 1978 that allowed statewide implementation of programs for multiple DUI offenders. Beginning in 1980, there was a considerable legislative effort to "get tough" on individuals who drive while under the influence. While the laws to increase fines, limit plea-bargaining, provide driver's license restrictions and mandatory jail sentencing became stricter, the need to expand, formalize and standardize DUI program requirements also existed. In 1990, the state was authorized to license programs of at least three months duration for first offenders. In 1999, legislation was passed to order individuals convicted of "wet and reckless" to a DUI education program and authorized a six-month program for first offenders with a blood alcohol content of 0.20 or higher. In fiscal year 2000-2001, 133,520 people participated in California's DUI programs.

Program Development and Responsibility

The county board of supervisors, in concert with the county alcohol and drug program administrators determines the need for DUI program services and recommends applicants to the State for licensure. The Department of Alcohol and Drug Programs (ADP) licenses programs, establishes regulations, approves participant fees and fee schedules, and provides DUI information.

Wet Reckless Programs

A person convicted of reckless driving with a measurable amount of alcohol in their blood must complete a twelve-hour DUI education program.

First Offender Programs

A person convicted of a first DUI offense must complete a state-licensed three-month, 30-hour alcohol and drug education and counseling program. A person convicted of a first DUI offense with a blood alcohol content of 0.20 or higher must complete a state-licensed six-month, 45-hour alcohol and drug education and counseling program. These programs are designed to enable participants to consider attitudes and behavior, support positive lifestyle changes, and reduce or eliminate the use of alcohol and/or drugs.

18-Month Programs

Second and subsequent DUI offenders must complete an 18-month multiple offender program. Program requirements are: 52 hours of group counseling; 12 hours of alcohol and drug education; 6 hours of community reentry monitoring; and biweekly individual interviews during the first 12 months of the program.

30-Month Programs

A county may elect to provide 30-month DUI programs for third and subsequent DUI offenders. Los Angeles and San Francisco Counties have these services available. Program requirements are: 78 hours of group counseling; 12 hours of alcohol and drug education; 120-300 hours of community service; and close and regular individual interviews.